IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15286 of 2005

Between:

S. Chandra Sekhara Reddy S/o. Anki Reddy
R/o. 1-42, Pedda Juture Village Vemula Mandal
Kadapa District.

..... PETITIONER

AND

1 The Secretary Regional Transport Authority
Kadapa Kadapa District.
2 The Inspector of Police
Pulivendula Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly a writ of mandamus, declaring the action of the 2nd respondent in seizing the vehicle (Jeep) No. AP1 4440 on the ground that it carried 47 (forty seven) passengers, at a time as illegal, and without jurisdiction and consequently release the vehicle forthwith and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner : MR.G.DASARADHA RAMI REDDY

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

O R D E R:

This writ petition is filed by the petitioner aggrieved by the action of the respondents

in seizing his vehicle – Jeep No.AP1 – 4440 under Vehicle Check Report dated 23.06.2005 on certain alleged irregularities.

2. According to the petitioner, the alleged irregularities are false and the petitioner is implicated only to seize his vehicle. It is further stated that the petitioner made an application on 11.07.2005 for release of his vehicle, but the 1st respondent did not pass any orders so far. Hence, the petitioner has come up with the present writ petition.

3. Heard both the learned counsel and considered the material on record.

4. As the seizure of the vehicle of the petitioner and the allegations leveled against him are the subject matters of the enquiry to be completed by the respondents, it is appropriate to direct the respondents to release the vehicle of the petitioner, on condition of his making a deposit of Rs.5,000/- (Rupees five thousand only) and also furnishing an undertaking that he shall not alienate or encumber the vehicle, pending enquiry. The release of the vehicle as well as the deposit shall be subject to the outcome of the enquiry contemplated under Sec.207 of the Motor Vehicles Act.

5. The writ petition is accordingly disposed of. No costs.

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S.Ananda Reddy, J.

Dt. 14.07.2005

Kvh

To

1 The Secretary Regional Transport Authority

Kadapa Kadapa District.
2 The Inspector of Police
Pulivendula Kadapa District.

3. CC to G.P. for Transport, High Court Blds., Hyderabad

4) 2 CD copies

HON'BLE MR. JUSTICE S. ANANDA REDDY

W.P.NO. 15286 OF 2005

O R D E R

14..07..2005